

Docket # 1

CD-MISC-2024-00002

Gasoline & Fuel Sales Text Amendment

9-18-2024

City Plan Commission



Timeline & Purpose

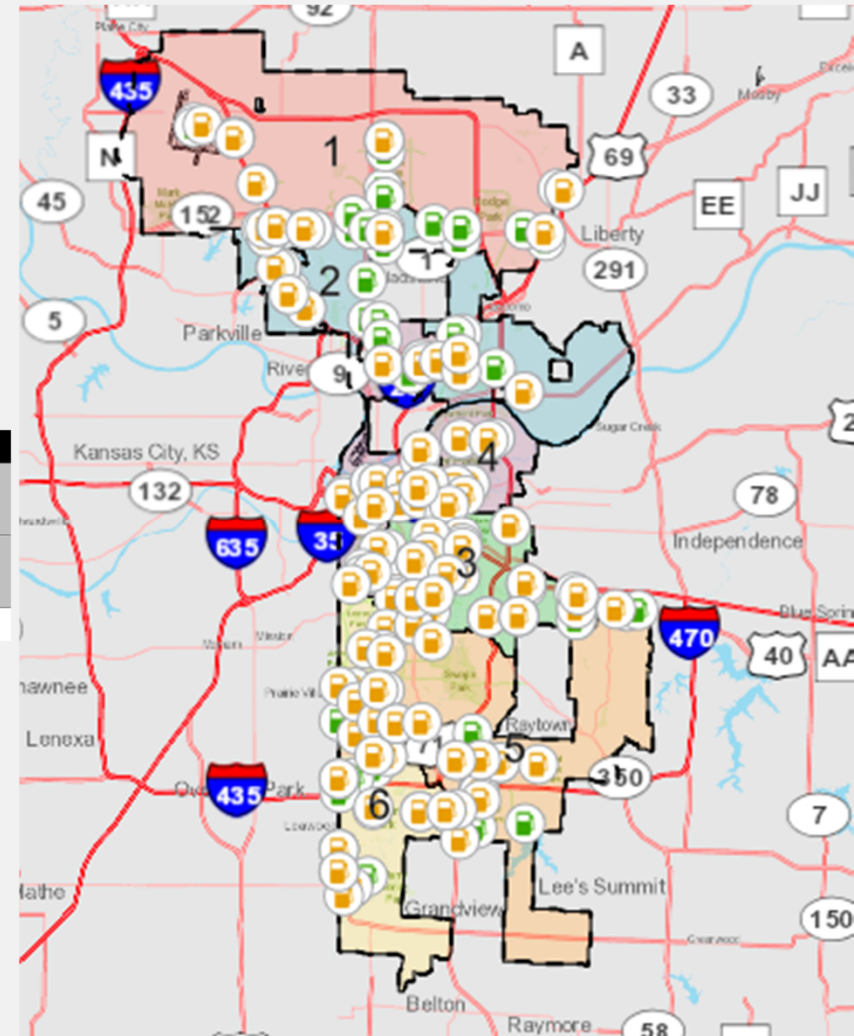
- Ord. No. 240157 Passed by Council in **February 2024**
 - Established moratorium for new gas stations
- Address environmental, public health and safety concerns
- Concentration of specific use
- Moratorium expires **October 7, 2024**

Multi-departmental Review Approach

- Regulated Industries (Provision of gas station location data)
- KCPD (CPTED audits, site plan review and data sharing)
- OEQ (Environmental concerns with fuel stations & fuel tanks)
- City Planning and Development (Use standards & operations compliance)

Data Analysis

- ~163 existing gas stations
- Since 2012, 22 have been approved through the SUP process
→ in zoning districts B1, B2 & B3

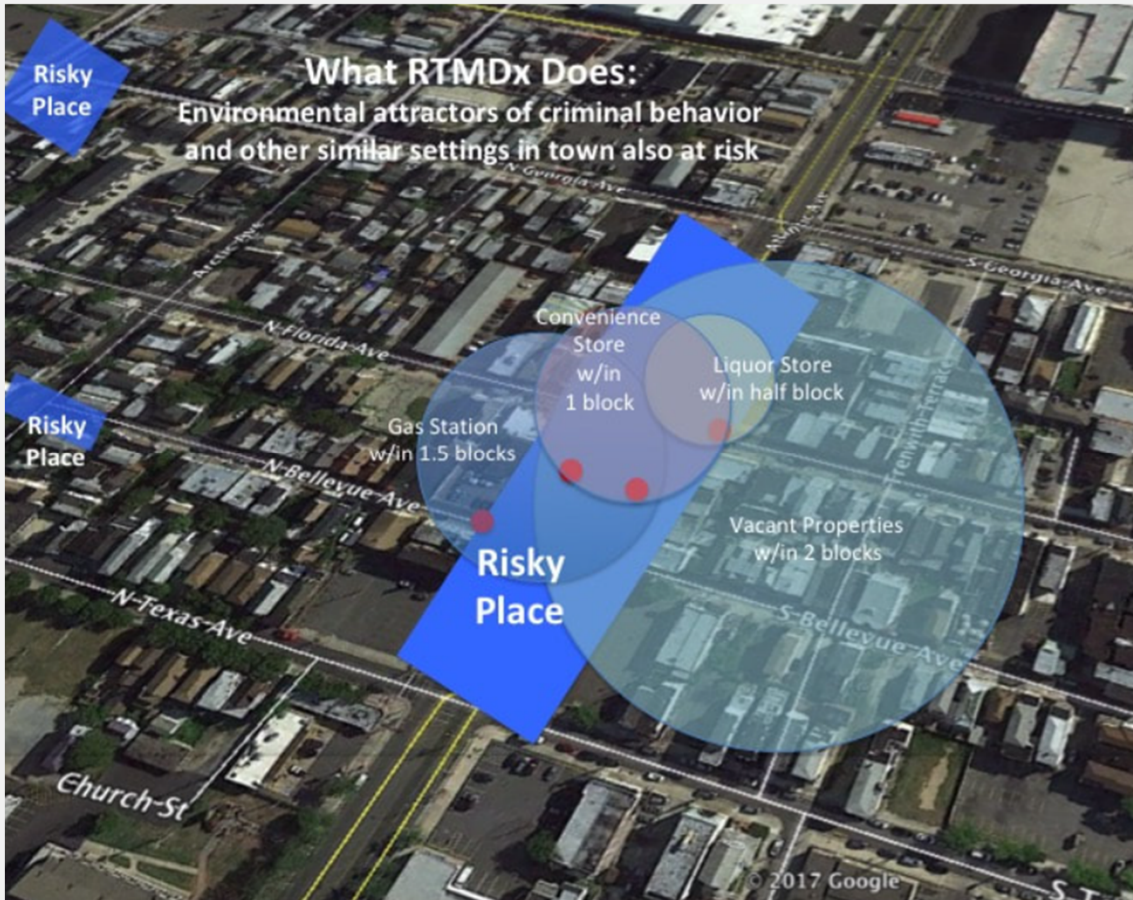


Office, Business, and Commercial Districts Use Table

USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT				
	O	B1	B2	B3	B4
Use Category » specific use type					
Gasoline and Fuel Sales	-	S[3]	S[3]	S[3]	P[3][5]

- Public Engagement ordinance approved by Council in 2019.
→ 12 of the 22 required public engagement

Risk Terrain Modeling (RTM)



Data-Informed & Place-Based Violent Crime Prevention: The Kansas City, Missouri Risk-Based Policing Initiative

Public Safety | Problem-Oriented | Hot Spots Risk Terrain Modeling | Risky Places Community Engagement

The Kansas City Police Department (KCPD) reduced violent crime with an evidence-based approach to problem analysis and intervention planning. Using hot spot mapping and risk terrain modeling, police and their community partners implemented a place-based intervention program focused on key attractors and generators of the environmental backdrop. During the 1-year period, violent crimes significantly decreased by over 22%. Crime prevention was achieved with a focus on places, not people.

FIGURE

The 13 target areas that accounted for this crime reduction covered just 1.5% of the city's land area.



Peer-Reviewed Journal Article REFERENCE: Caplan, J. M., Kennedy, L. W., Drawve, G., & Baughman, J. (2021). Data-Informed and Place-Based Violent Crime Prevention: The Kansas City, Missouri Risk-Based Policing Initiative. *Police Quarterly*. doi.org/10.1177/2F109861112111003205

Learn more at www.RutgersCPS.org



1. Introduction

KCPD implemented risk-based policing (RBP) to reduce and prevent violent crime. They focused on situational contexts of crime at micro places. Outcomes were evaluated at target and comparison areas.



2. Blueprint for RBP in Kansas City

Involved agency-wide training, data management technology and protocols, data-informed decision-making, multifaceted intervention actions at target areas, and multi-stakeholder accountability.



3. Intervention Activities

Within the target areas: 1) directed patrols, 2) business checks, 3) coordination and deployments of non-police resources, and 4) positive police-community engagements.



4. Results

Violent crime significantly decreased. Target areas outperformed the comparison areas by 22%. The total net effect was about 165 fewer crimes.

Police officer-initiated (as opposed to dispatch-directed or 9-1-1 calls for service) activities resulting in enforcement action (arrests or citations) decreased.

Crime was reduced and prevented without an abundance of law enforcement actions against people located at the target areas.



5. It Works!

Successful crime prevention programming can involve multiple stakeholders and a wide range of activities that maximize existing local resources. Community-focused policing can be effective and sustainable.

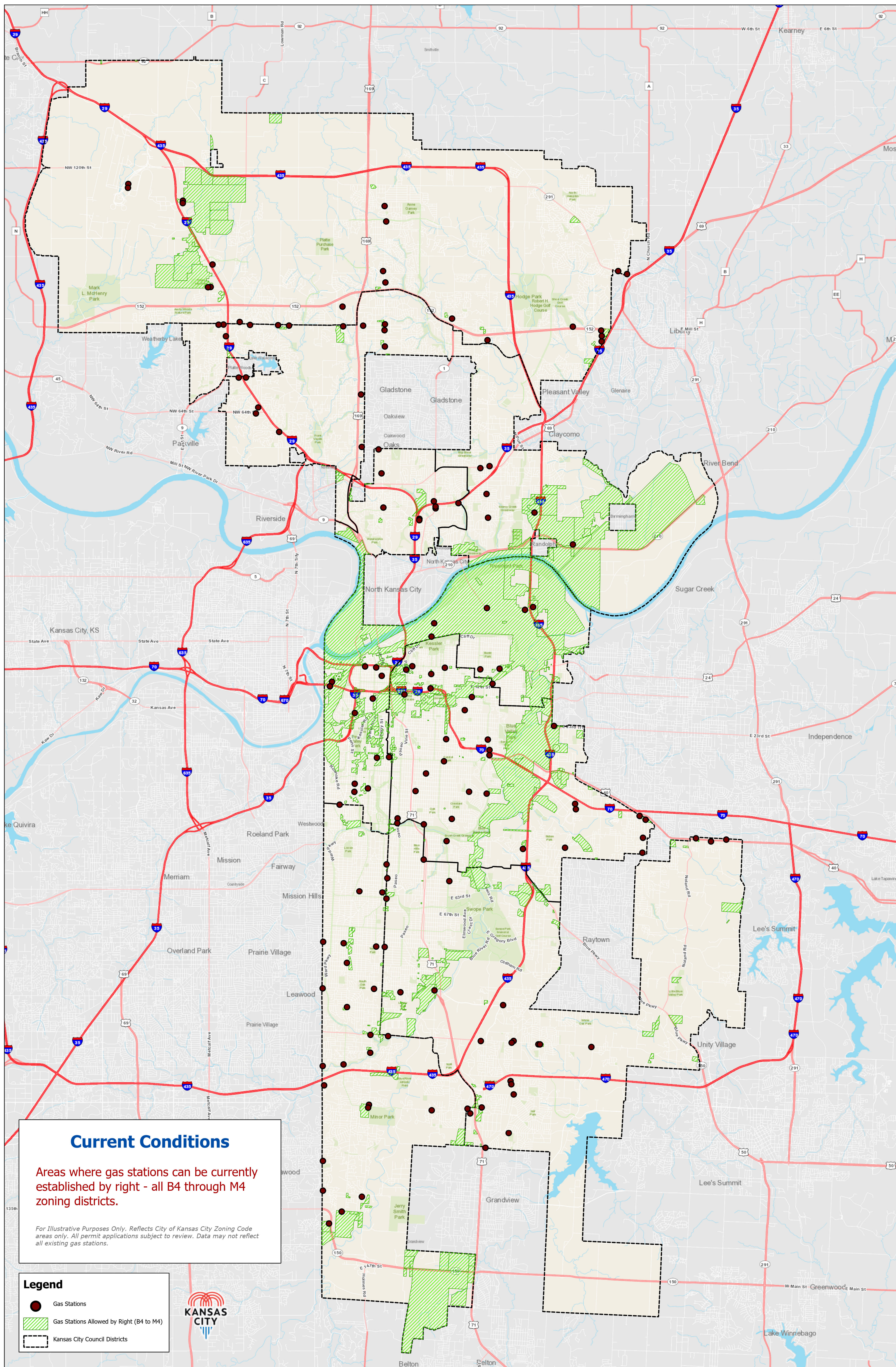
CPTED (Crime Prevention Through Environmental Design)

- Operations shall be in full compliance the Kansas City Municipal Code, including the Zoning Ordinance, Nuisance Code, and Building Code.
 - Building design, window transparency, landscaping, trash enclosures
- CPTED audit process (KCPD / Regulated / CPD / Neighborhoods)
- Opportunity for enhanced public engagement
- Examples: Lee's Summit (MO), Grand Rapids (MI), Tampa & Sarasota (FL), Madison (WI)

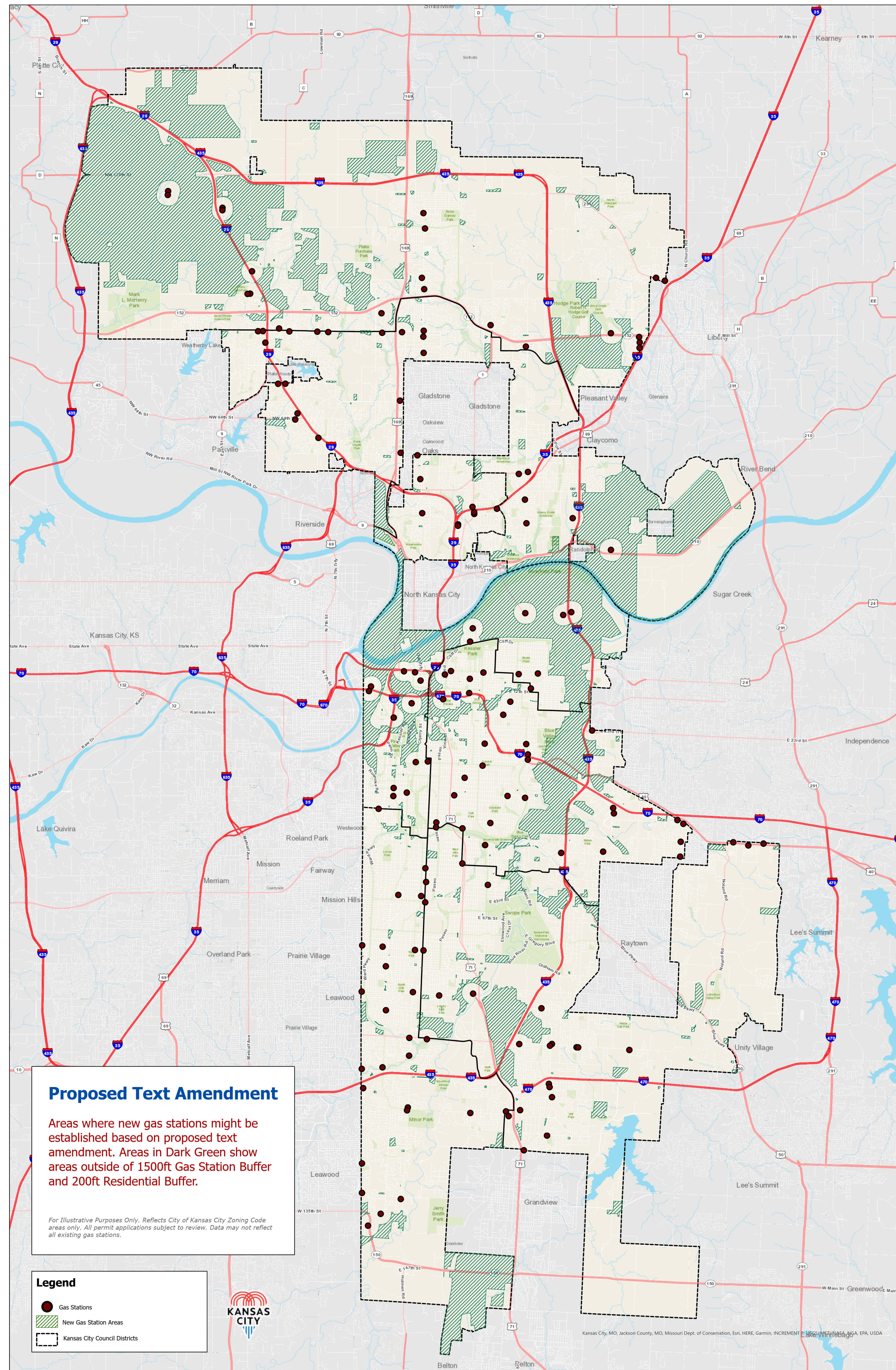
Proposed Zoning Consideration Points

- Placement suitability
- Co location / density
- Environmental impacts
- Site arrangement
- Public safety
- Liquor sales
- Applications and public engagement

Current Conditions - Gas Stations by Right



Proposed Text Amendment



National Approach

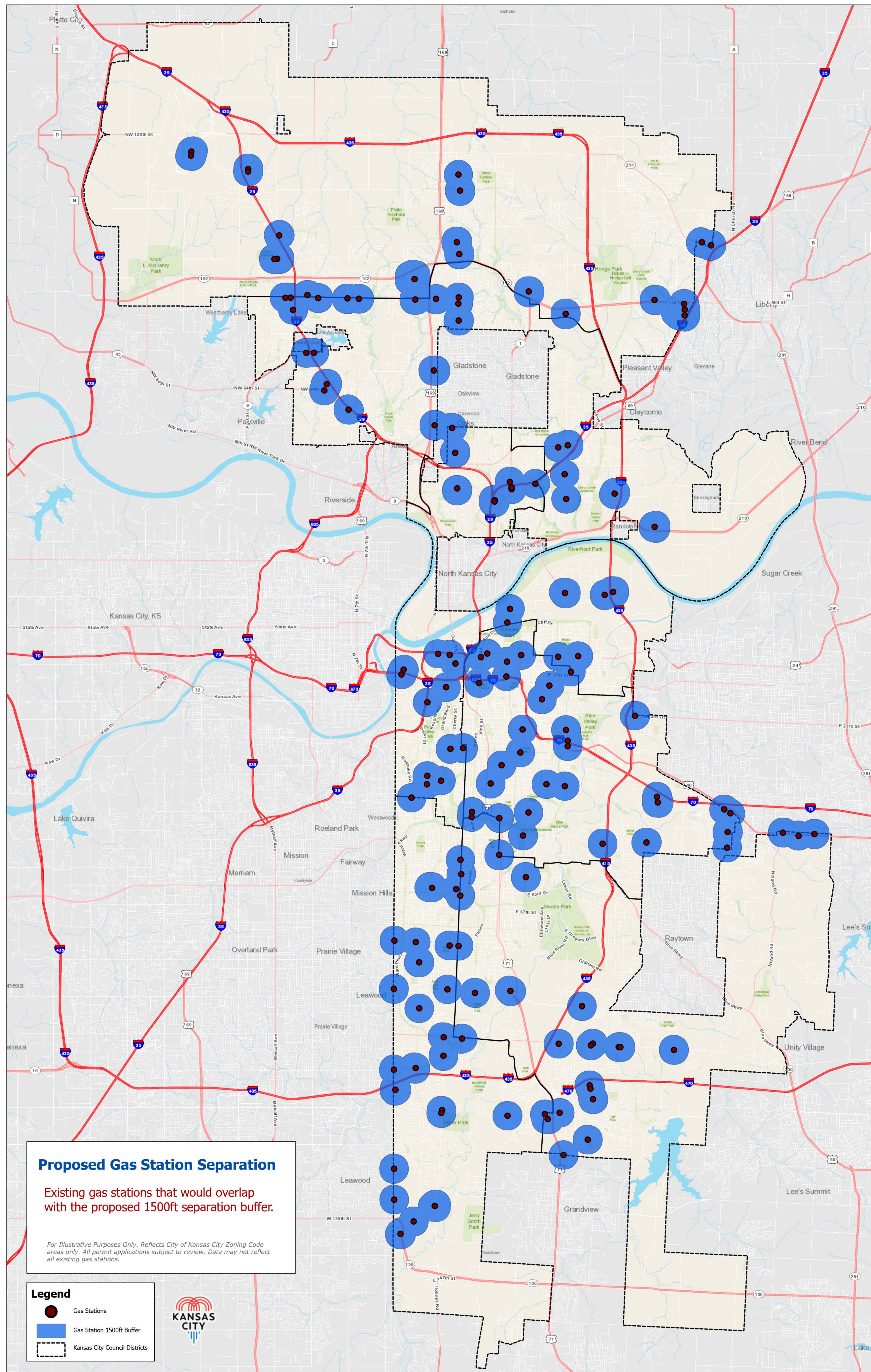
City	Ordinance/Zoning Code	Regulation
Atlanta, GA	Zoning Code	Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.
Hartford, CT	Zoning Code	No vehicle fueling & limited repair service use shall be located within a 1,200 foot radius of another vehicle fueling & limited repair service use.
Detroit, MI	Zoning Code	Gas station cannot be located within 1000' of an existing one
South Bend, IN	Zoning Code	Only permitted in four zoning districts.
*Denver, CO	Zoning Code	300' setback from protected (residential) uses.

***Denver's proposal is currently under review.**

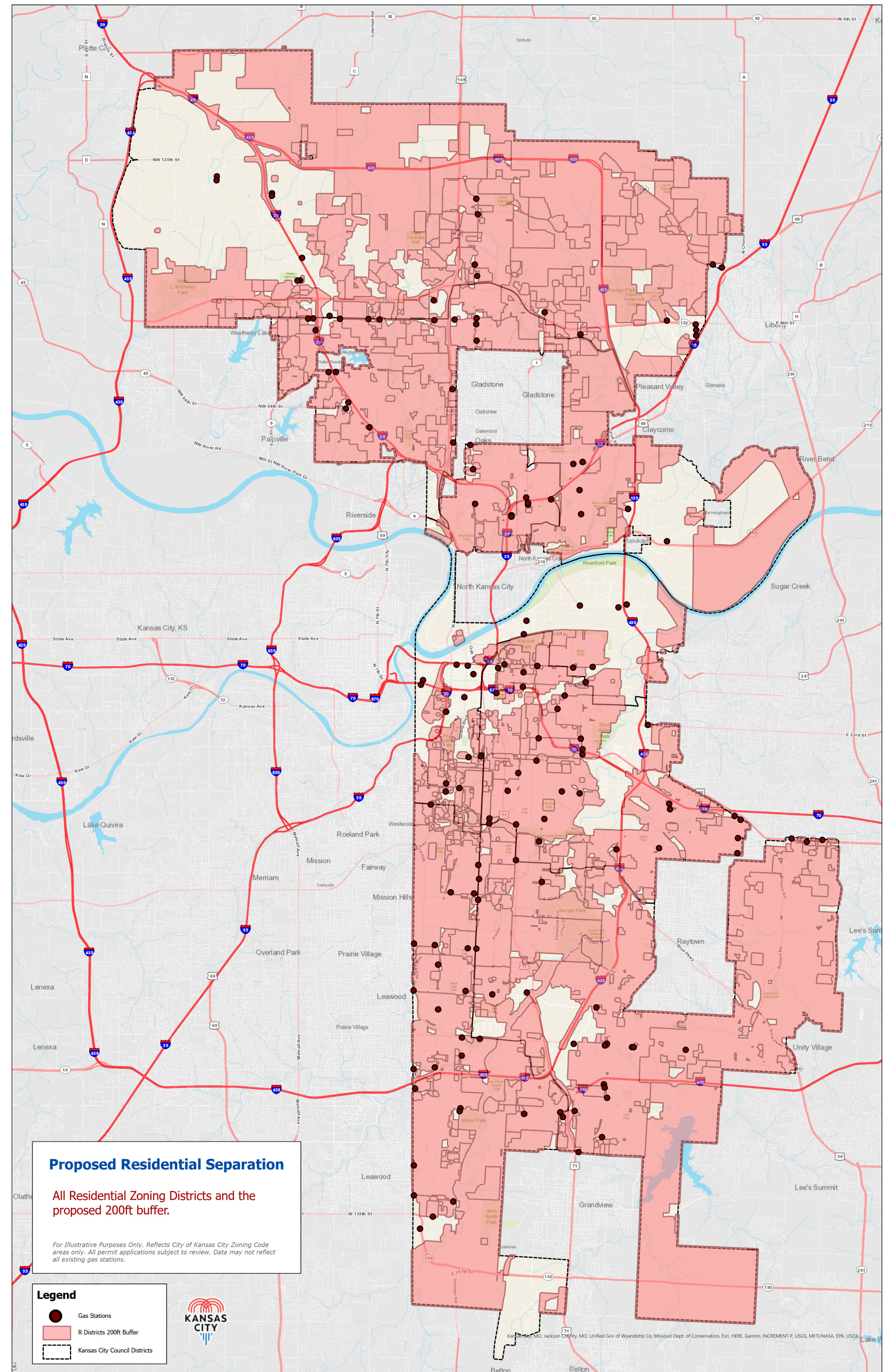
Local Analysis

City	# of zoning districts allowed by right	# of zoning districts allowed w/ CUP or SUP
Grandview, MO	1 out of 16	2 out of 16
Lee's Summit, MO	0 out 19	4 out of 19
Belton, MO	0 out of 15	5 out of 15
Lenexa, KS	5 out of 21	3 out of 21
Independence, MO*	0 out 8 (industrial & commercial)	4 out of 8 (industrial & commercial)
Blue Springs, MO*	2 out of 7 (commercial districts)	4 out of 7 (commercial districts)
Des Moines, IA	5 out 21	3 out of 21

Proposed Gas Station Separation



Proposed Residential Separation



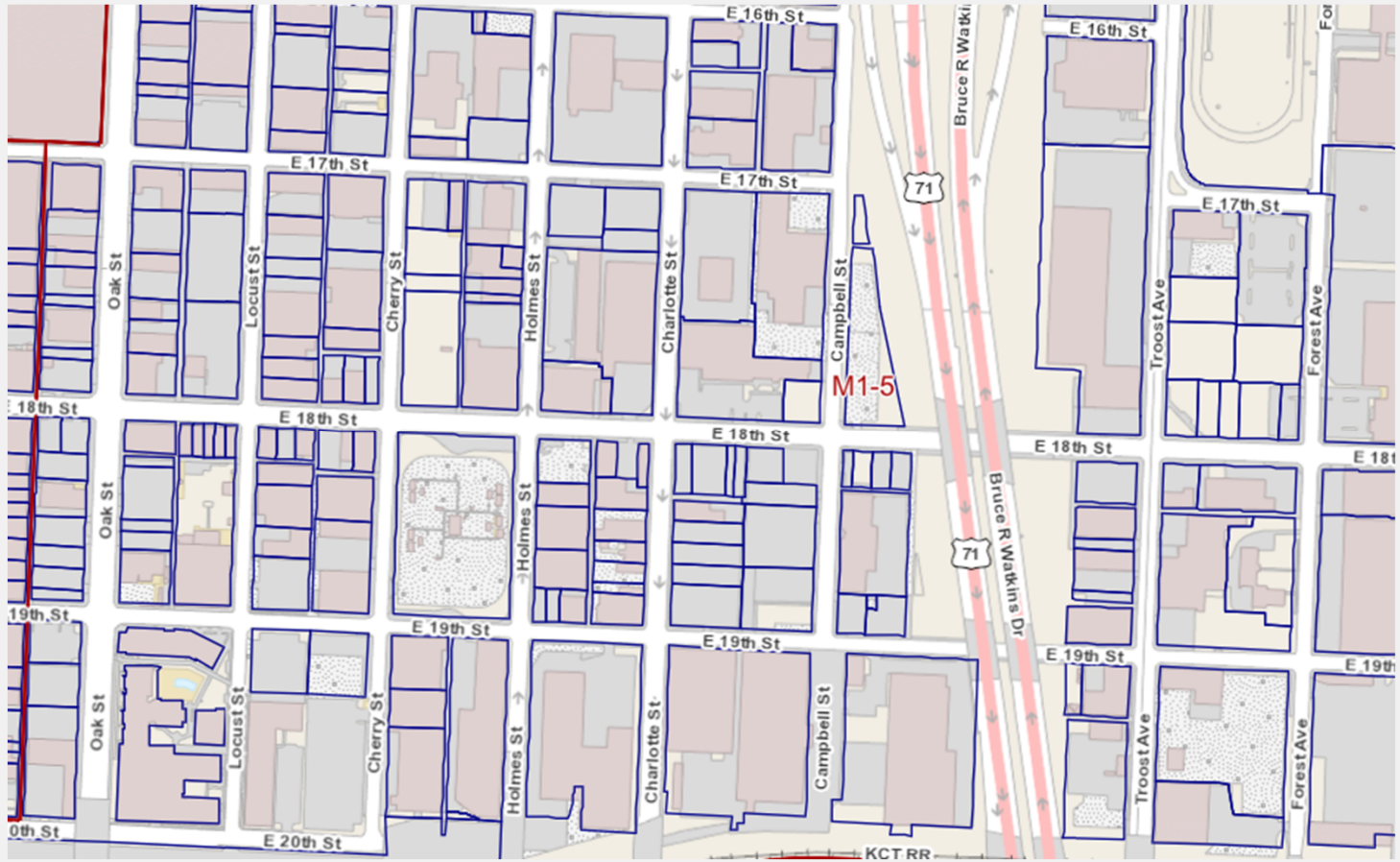
Use Table

Table 120-1 Office, Business, and Commercial Districts Use Table						
USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT					Use Standards
Use Category >> specific use type	O	B1	B2	B3	B4	
Gasoline and Fuel Sales	-	S[3]	S[3]	S[3]	P[3][5] S[3][5]	88-323 88-347

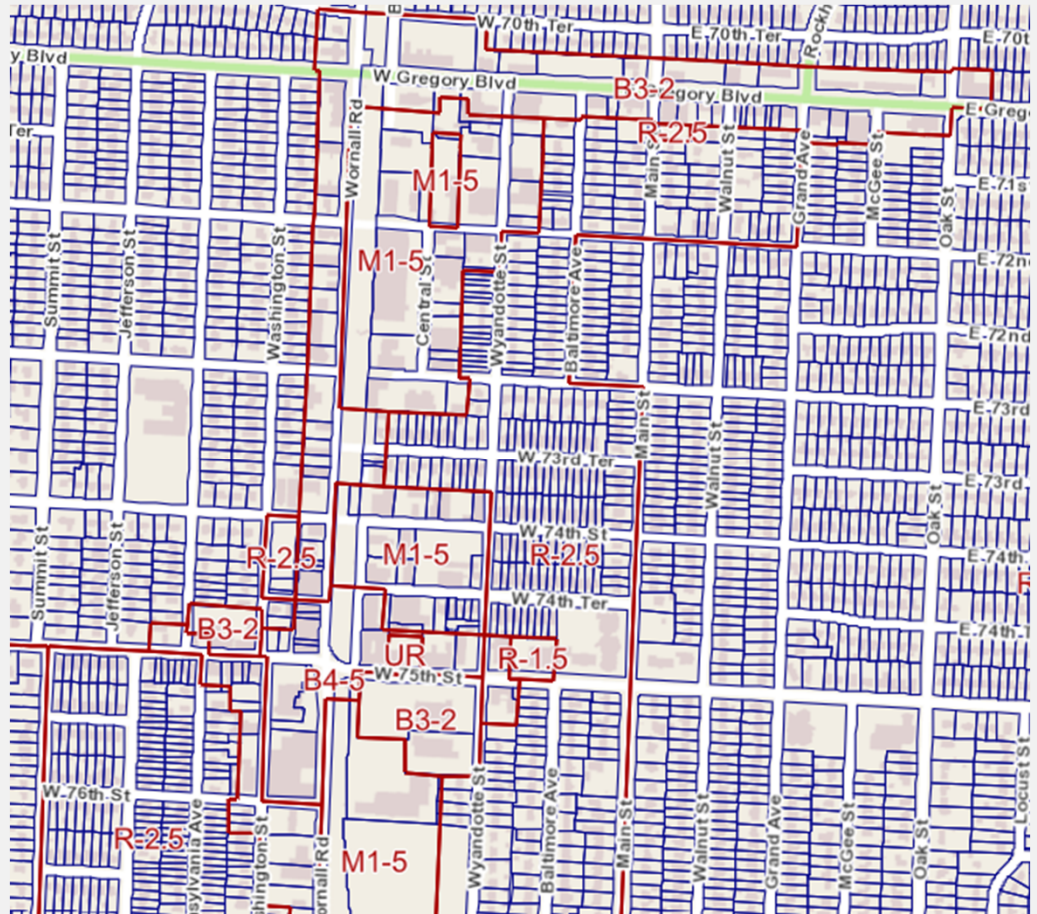
Use Table

Table 140-1 Manufacturing Districts Use Table					
USE GROUP (refer to 88-805 Use Groups and Categories)	Zoning District				Use Standards
Use Category >> specific use type	M1	M2	M3	M4	
Gasoline and Fuel Sales	P[3] S[3]	P[3] S[3]	P[3] S[3]	P[3] S[3]	88-323 88-347

M Zoning Examples (Crossroads)



M Zoning Examples (Waldo)



88-347-01-A. – APPLICABILITY

1. New Development. Full compliance with this section is required for all new structures.
2. Enlargements and Expansions.
3. Façade Changes.
4. Change of Use or Occupancy.

88-347-01-B. – EXEMPTIONS

1. New gasoline and fuel sales uses approved through the development plan process pursuant to 88-517-09-D.

88-347-02-A. Location

- Address Concentration
- Impact on residential districts
- Encourage more public engagement
- Special Use Permit for all new gas stations and expansions*

- **Public Engagement reduced to 300'**
- **Reduce separation distance from existing gas station from 2000' to 1500'**

Revisions since first CPC hearing

88-347-02-B. Site & Building Layout

- Entrances
- Window Transparency **(set minimum front façade at 34.5%, feedback for transparency on sides)**
- CPTED Principles



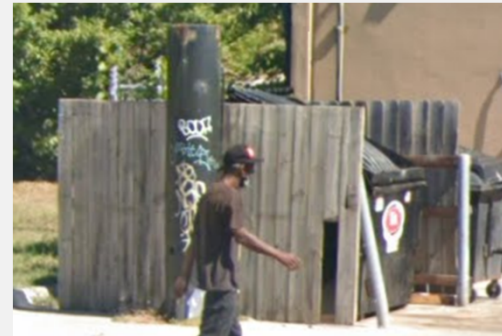
88-347-02-C. Landscaping and Screening

- Dumpster Enclosures
- Defined Pedestrian Circulation
- Four-Sided Architecture





2016



2022



2023



2024

88-347-02-D. Lighting

- Increase safety for users, staff and KCPD
- Reduce negative impact of lighting when adjacent to residential uses



88-347-03 – Operations

- CPTED Principles
- Enhance public safety



88-610-04-F. NONCONFORMING GASOLINE AND FUEL SALES

1. Certificates of legal nonconformance issued for gasoline and fuel sales apply to all nonconforming aspects of the gasoline and fuel sales, including the separation requirements expressly established in 88-347.
2. Gasoline and fuel sales operating under a certificate of legal nonconformance may expand the existing structure or construct a new structure. The expansion shall follow the special use procedures of Article 88-525 and may be approved by the board of zoning adjustment.

Next Steps:

- NPD on September 24th at 1:30 PM
- Moratorium expires on October 7th, 2024